

UNITED STATES DISTRICT COURT

Southern

District of

New York

PHILIP MORRIS USA INC.,

SUMMONS IN A CIVIL ACTION

V.

A & V MINIMARKET, INC., et al.,

PLEASE SEE ATTACHED SCHEDULE A
FOR COMPLETE CAPTION

CASE NUMBER:

07 CIV 8359

TO: (Name and address of Defendant)

PLEASE SEE THE ATTACHED SCHEDULE B

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

JENNIFER L. LARSON (JL 8114)
HELLER EHRMAN LLP
7 TIMES SQUARE
NEW YORK, NY 10036
(212) 832-8300

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

SEP 26 2007

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Date Signature of Server </div> <div style="text-align: center; margin-top: 20px;"> _____ Address of Server </div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA INC.,

Plaintiff,

v.

A & V MINIMARKET, INC., a New York corporation doing business as A & V MINI MARKET; ABDO K.S. NAGI, individually and doing business as A.M. GROCERY-DELI and A&M GROCERY; GOURMET DELI GROCERY CORP., a New York corporation doing business as GOURMET DELI; LA FAVORITA DELI GROCERY CORP., a New York corporation doing business as LA FAVORITA DELI GROCERY; UNIVERSITY FOOD MARKET CORP., a New York corporation; F & J DELI DELIGHT INC., a New York corporation doing business as F & J DELI; FELCIANO LOPEZ, individually and doing business as LOPEZ FRUIT & VEGETABLE MARKET; FRANCISCA SANTIAGO, individually and doing business as LOPEZ FRUIT & VEGETABLE MARKET; GOLD MINE GROCERY, INC., a New York corporation doing business as GOLDMINE GROCERY; UPTOWN DELI & GROCERY CORP., a New York corporation doing business as TAIZ GROCERY; HARLEM CARNICERIA HISPANA & DELI, INC., a New York corporation doing business as HARLEM CARNICERIA HISPANA & DELI; I & I CONVENIENCE STORE INC., a New York corporation doing business as I & I CONVENIENCE STORE; INKONA NEWS STAND, INC., a New York corporation doing business as INK ON A, INK ON A, INC. and INKONA INC.; J & B DELI GROCERY CORP., a New York corporation doing business as J & B DELI GROCERY CORP. and J & B GROCERY; TW DELI & GROCERY CORP., a New York corporation doing business as JEROME DELI GROCERY; HAFIZ ABDULLA SAIDI, individually and doing business as H. A. SAIDI GROCERY-DELI STORE and JUMBO DELI GROCERY; K & G DELI GROCERY, INC., a New York corporation doing business as K & G DELI; LEENA DELI & GROCERY CORP., a New York corporation doing business as LEENA DELI & GROCERY; MENZAL S. AZOOKARI, individually and

Case No.

ECF CASE

SCHEDULE A

doing business as SOUTHERN BLVD. DELI; MANNYS MINI MARKET, INC., a New York corporation doing business as MANNYS MINI MARKET; JUANA SUAZO, individually and doing business as MATEO GROCERY; 174th STREET MELISSA FOOD CENTER CORP., a New York corporation doing business as MELISSA GROCERY, also known as MELISSA DELI GROCERY, MELISSA FOOD CENTER AND MELISSA FOOD CORP.; MATTHEW FOOD CENTER CORP., a New York corporation doing business as MATTHEW DELI FOOD CENTER and MATTHEW FOOD CENTER; 315 GROCERY CORP., a New York corporation doing business as 315 GROCERY & CANDY; MORRIS AVE. FOOD MART CORP., a New York corporation doing business as MORRIS AVE FOOD MART; BRONX #1 DISCOUNT GROCERY CORP., a New York corporation doing business as NY #1 DISCOUNT GROCERY; ADEL ELSAIDI, individually and doing business as NY BEST DELI GROCERY; SECINDINO OLIVO, individually and doing business as OLIVO GROCERY; ANTERO OLIVO, individually and doing business as OLIVO GROCERY; ALI OMRAN, individually and doing business as OMRAN GROCERY and OMRAN GROCERY & CANDY STORE; HAJJI DELI GROCERY, INC., a New York corporation doing business as PARADISE DELI; R H S GROCERY, INC., a New York corporation doing business as RHS DELI GROCERY; MIGUEL RODRIGUEZ, individually and doing business as RODRIGUEZ DELI GROCERY; SOLFIS ZESARINA GUERRERO DE ORTIZ, individually and doing business as ZESARINA GROCERY STORE and TONYS FAMILY GROCERY STORE; S & P NEWS; RAMON SALCEDO, individually and doing business as SALCEDO GROCERY; MAJMUD SALEJ, individually and doing business as SALEJ GROCERY; SAMMY'S II DELI GROCERY, INC., a New York corporation; SAN JUAN FOOD MARKET, INC., a New York corporation doing business as SAN JUAN FOOD MARKET; WADDAH ALMAWRI, individually and doing business as W.A. DELI GROCERY, also known as W.A. DELI & GROCERY; STEVEN DELI SUPERMARKET CORP., a New York corporation doing business as STEVEN DELI MARKET; KIANELY FOOD CORP., a New York corporation; VEGA'S DELI GROCERY INC., a New York corporation doing business as NEW WATSON

FOOD MARKET; UNIVERSITY DELI & GROCERY CORP., a New York corporation doing business as UNIVERSITY DELI; 456 EAST W.A. DELI & GROCERY INC., a New York corporation doing business as WA GROCERY; GAMIL HASSAN, individually and doing business as WEST FARM DELI GROCERY; ALI SAEED, individually and doing business as YEMEN KING DELI; JJP FOOD CENTER INC., a New York corporation doing business as 1086 JJP FOOD CENTER INC.; 394 GROCERY CORP., a New York corporation doing business as 394 GROCERY; 676 CASTLE HILL GOMEZ GROCERY CORP., a New York corporation doing business as 676 CASTLE HILL DELI; LATIN GROCERY LLC, a New York corporation doing business as 961 DELI GROCERY; and DOES ONE through TEN, inclusive,

Defendants.

SCHEDULE B

A & V MINIMARKET, INC., a New York corporation doing business as
A & V MINI MARKET
1166 Pugsley Ave
Bronx, New York 10472
(Bronx County)

ABDO K.S. NAGI, individually and doing business as
A.M. GROCERY-DELI and A&M GROCERY
681 E. 187th Street
Bronx, New York 10458
(Bronx County)

GOURMET DELI GROCERY CORP., a New York corporation doing business as
GOURMET DELI
770 Hunts Point Avenue
Bronx, New York 10474
(Bronx County)

LA FAVORITA DELI GROCERY CORP., a New York corporation doing business as
LA FAVORITA DELI GROCERY
3515 Rochambeau Avenue
Bronx, New York 10459
(Bronx County)

UNIVERSITY FOOD MARKET CORP., a New York corporation
1538 University Avenue
Bronx, New York 10459
(Bronx County)

F & J DELI DELIGHT INC., a New York corporation doing business as
F & J DELI
768 Castle Hill Avenue
Bronx, New York 10473
(Bronx County)

FELCIANO LOPEZ, individually and doing business as
LOPEZ FRUIT & VEGETABLE MARKET
600 Southern Blvd.
Bronx, New York 10455
(Bronx County)

FRANCISCA SANTIAGO, individually and doing business as
LOPEZ FRUIT & VEGETABLE MARKET
600 Southern Blvd.
Bronx, New York 10455
(Bronx County)

GOLD MINE GROCERY, INC., a New York corporation doing business as
GOLDMINE GROCERY
1288 Washington Avenue
Bronx, New York 10456
(Bronx County)

UPTOWN DELI & GROCERY CORP., a New York corporation doing business as
TAIZ GROCERY
5 E. Gunhill Road
Bronx, New York 10467
(Bronx County)

HARLEM CARNICERIA HISPANA & DELI, INC., a New York corporation doing business as
HARLEM CARNICERIA HISPANA & DELI
1634 Madison Avenue
New York, New York 10029
(New York County)

I & I CONVENIENCE STORE INC., a New York corporation doing business as
I & I CONVENIENCE STORE
804A E. 180th Street
Bronx, New York 10460
(Bronx County)

INKONA NEWS STAND, INC., a New York corporation doing business as
INK ON A, INK ON A, INC. and INKONA INC.
66 Avenue A
New York, New York 10009
(New York County)

J & B DELI GROCERY CORP., a New York corporation doing business as
J & B DELI GROCERY CORP. and J & B GROCERY
2344 Lorillard Place
Bronx, New York 10458
(Bronx County)

TW DELI & GROCERY CORP., a New York corporation doing business as
JEROME DELI GROCERY
1759 Jerome Avenue
Bronx, New York 10453
(Bronx County)

HAFIZ ABDULLA SAIDI, individually and doing business as
H. A. SAIDI GROCERY-DELI STORE and JUMBO DELI GROCERY
1300 Lafayette Avenue
Bronx, New York 10474
(Bronx County)

K & G DELI GROCERY, INC., a New York corporation doing business as
K & G DELI
9 W. 183rd Street
Bronx, New York 10453
(Bronx County)

LEENA DELI & GROCERY CORP., a New York corporation doing business as
LEENA DELI & GROCERY
1616 Bruckner Blvd.
Bronx, New York 10473
(Bronx County)

MENZAL S. AZOOKARI, individually and doing business as
SOUTHERN BLVD. DELI
901 Southern Blvd.
Bronx, New York 10459
(Bronx County)

MANNYS MINI MARKET, INC., a New York corporation doing business as
MANNYS MINI MARKET
1405 Townshend Avenue
Bronx, New York 10452
(Bronx County)

JUANA SUAZO, individually and doing business as
MATEO GROCERY
1160 Fteley Avenue
Bronx, New York 10472
(Bronx County)

174th STREET MELISSA FOOD CENTER CORP., a New York corporation doing business as MELISSA GROCERY, also known as MELISSA DELI GROCERY, MELISSA FOOD CENTER and MELISSA FOOD CORP.

1004 E. 174th Street
Bronx, New York 10460
(Bronx County)

MATTHEW FOOD CENTER CORP., a New York corporation doing business as MATTHEW DELI FOOD CENTER and MATTHEW FOOD CENTER

2085 Valentine Avenue
Bronx, New York 10457
(Bronx County)

315 GROCERY CORP., a New York corporation doing business as 315 GROCERY & CANDY

315 E. 194th Street
Bronx, New York 10458
(Bronx County)

MORRIS AVE. FOOD MART CORP., a New York corporation doing business as MORRIS AVE. FOOD MART

980 Morris Avenue
Bronx, New York 10456
(Bronx County)

BRONX #1 DISCOUNT GROCERY, a New York corporation doing business as NY #1 DISCOUNT GROCERY

192 E. 167th Street
Bronx, New York 10456
(Bronx County)

ADEL ELSAIDI, individually and doing business as NY BEST DELI GROCERY

721 Burke Avenue
Bronx, New York 10455
(Bronx County)

SECINDINO OLIVO, individually and doing business as OLIVO GROCERY

280 St. Anns Avenue
Bronx, New York 10454
(Bronx County)

ANTERO OLIVO, individually and doing business as
OLIVO GROCERY
280 St. Anns Avenue
Bronx, New York 10454
(Bronx County)

ALI OMRAN, individually and doing business as
OMRAN GROCERY and OMRAN GROCERY & CANDY STORE
2285 1st Avenue
New York, New York 10035
(New York County)

HAJJI DELI GROCERY, INC., a New York corporation doing business as
PARADISE DELI
2135 1st Avenue
New York, New York 10029
(New York County)

R H S GROCERY, INC., a New York corporation doing business as
RHS DELI GROCERY
1223 Boston Road
Bronx, New York 10460
(Bronx County)

MIGUEL RODRIGUEZ, individually and doing business as
RODRIGUEZ DELI GROCERY
1131 Havemeyer Avenue
Bronx, New York 10462
(Bronx County)

SOLFIS ZESARINA GUERRERO DE ORTIZ, individually and doing business as
ZESARINA GROCERY STORE and TONY'S FAMILY GROCERY STORE
526 E. 183rd Street
Bronx, New York 10458
(Bronx County)

S & P NEWS, an unknown business entity
74 St & Broadway NW Corner
New York, New York 10023
(New York County)

RAMON SALCEDO, individually and doing business as
SALCEDO GROCERY
1150 Anderson Avenue
Bronx, New York 10452
(Bronx County)

MAJMUD SALEJ, individually and doing business as
SALEJ GROCERY
646 E. 241st Street
Bronx, New York 10470
(Bronx County)

SAMMY'S II DELI GROCERY, INC., a New York corporation
4052 White Plains Road
Bronx, New York 10466
(Bronx County)

SAN JUAN FOOD MARKET, INC., a New York corporation doing business as
SAN JUAN FOOD MARKET
919 East Tremont Avenue
Bronx, New York 10460
(Bronx County)

WADDAH ALMAWRI, individually and doing business as
W.A. DELI GROCERY, also known as W.A. DELI & GROCERY
2039 Grand Concourse
Bronx, New York 10453
(Bronx County)

STEVEN DELI SUPERMARKET CORP., a New York corporation doing business as
STEVEN DELI MARKET
1135 Olmstead Avenue
Bronx, New York 10472
(Bronx County)

KIANELY FOOD CORP., a New York corporation
1386 Nelson Avenue
Bronx, New York 10452
(Bronx County)

VEGA'S DELI GROCERY INC., a New York corporation doing business as
NEW WATSON FOOD MARKET
1580 Watson Avenue
Bronx, New York 10472
(Bronx County)

UNIVERSITY DELI & GROCERY CORP., a New York corporation doing business as
UNIVERSITY DELI
1705 University Avenue
Bronx, New York 10453
(Bronx County)

456 EAST W.A. DELI & GROCERY INC., a New York corporation doing business as
WA GROCERY
456 E. 149th Street
Bronx, New York 10455
(Bronx County)

GAMIL HASSAN, individually and doing business as
WEST FARM DELI GROCERY
1002 E. Tremont Avenue
Bronx, New York 10460
(Bronx County)

ALI SAEED, individually and doing business as
YEMEN KING DELI
323 E. 108th Street
New York, New York 10029
(New York County)

JJP FOOD CENTER INC., a New York corporation doing business as
1086 JJP FOOD CENTER INC.
1086 Boston Road
Bronx, New York 10456
(Bronx County)

394 GROCERY CORP., a New York corporation doing business as
394 GROCERY
394 E. 167th Street
Bronx, New York 10456
(Bronx County)

676 CASTLE HILL GOMEZ GROCERY CORP., a New York corporation doing business as
676 CASTLE HILL DELI
676 Castle Hill Avenue
Bronx, New York 10473
(Bronx County)

LATIN GROCERY LLC, a New York corporation doing business as
961 DELI GROCERY
961 E. 165th Street
Bronx, New York 10456
(Bronx County)

JOHN DOE ONE
Address unknown

JOHN DOE TWO

Address unknown

JOHN DOE THREE

Address unknown

JOHN DOE FOUR

Address unknown

JOHN DOE FIVE

Address unknown

JOHN DOE SIX

Address unknown

JOHN DOE SEVEN

Address unknown

JOHN DOE EIGHT

Address unknown

JOHN DOE NINE

Address unknown

JOHN DOE TEN

Address unknown

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 8:00 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon 676 CASTLE HILL GOMEZ GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS 676 CASTLE HILL DELI, therein named. Said service was effected at 676 CASTLE HILL AVE, BRONX, NY 10473, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to JUAN RODRIGUEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

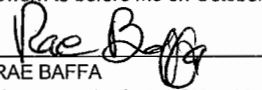
Sex: **Male** Skin: **Brown** Hair: **Grey** Age(Approx): **55** Height(Approx): **5' 6"** Weight(Approx): **160-170 lbs**
Other: **MUSTACHE & GLASSES**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn before me on October 2, 2007

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

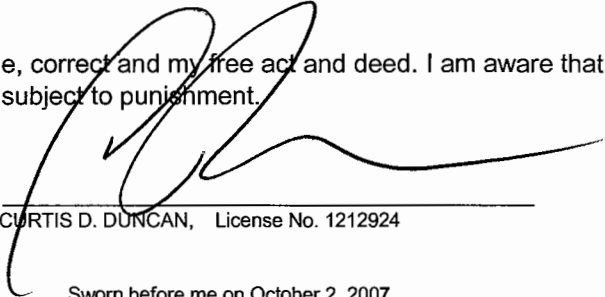
That on October 1, 2007 at 8:55 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon GAMIL HASSAN, INDIVIDUALLY AND DOING BUSINESS AS WEST FARM DELI GROCERY, therein named. Said service was effected at , 1002 E. TREMONT AVE, BRONX, NY 10460, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of each to GAMIL HASSAN personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.


Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **48** Height(Approx): **5' 8"** Weight(Approx): **130-140 lbs**
Other: **MUSTACHE**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 28, 2007 at 2:45 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon F & J DELIGHT INC. A NEW YORK CORPORATION DOING BUSINESS AS F & J DELI, therein named. Said service was effected at 868 CASTLE HILL AVENUE, BRONX, NY 10455, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to DANNY DAVILA personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Bald** Age(Approx): **50** Height(Approx): **5' 8"** Weight(Approx): **225-250 lbs**

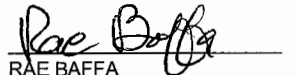
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007



RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 10:14 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon WADDAH ALMAWRI, INDIVIDUALLY AND DOING BUSINESS AS W.A. DELI GROCERY, ALSO KNOWN AS W.A. DELI & GROCERY, therein named. Said service was effected at , 2039 GRAND CONCOURSE, BRONX, NY 10453, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to WADDAH ALMAWRI personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.


Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **37** Height(Approx): **5' 6"** Weight(Approx): **160-170 lbs**
Other: **MUSTACHE**

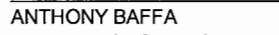
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

A & V MINIMARKET, INC., ET AL

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 8:35 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon HAFIZ ABDULLA SAIDI, INDIVIDUALLY AND DOING BUSINESS AS H. A. SAIDI GROCERY-DELI STORE AND JUMBO DELI GROCERY, therein named. Said service was effected at 1300 LAFAYETTE AVENUE, BRONX, NY 10474, in the following manner;

By delivering thereat a true copy of each to SHAWN ALI, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named HAFIZ ABDULLA SAIDI, INDIVIDUALLY AND DOING BUSINESS AS H. A. SAIDI GROCERY-DELI STORE AND JUMBO DELI GROCERY at 1300 LAFAYETTE AVENUE, BRONX, NY 10474. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Lt. Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 8"** Weight(Approx): **150-160 lbs**
Other:

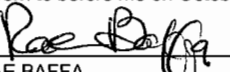
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

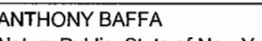


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 12:30 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon A & V MINI-MARKET, INC., A NEW YORK CORPORATION DOING BUSINESS AS A & V MINI MARKET, therein named. Said service was effected at C/O ONDINA BURGOS, 1166 PUGSLEY AVENUE, BRONX, NY 10472, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to ONDINA BURGOS personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

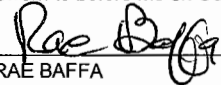
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35-45** Height(Approx): **5' 2"** Weight(Approx): **150-160 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 4:45 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon SOLFIS ZESARINA GUERRERO DE ORTIZ, INDIVIDUALLY AND DOING BUSINESS AS ZESARINA GROCERY STORE AND TONY'S FAMILY GROCERY STORE, therein named. Said service was effected at , 526 E. 183RD ST, BRONX, NY 10458, in the following manner;

By delivering thereat a true copy of each to MANUEL SOTO, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named SOLFIS ZESARINA GUERRERO DE ORTIZ, INDIVIDUALLY AND DOING BUSINESS AS ZESARINA GROCERY STORE AND TONY'S FAMILY GROCERY STORE at , 526 E. 183RD ST, BRONX, NY 10458. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black/Grey** Age(Approx): **48** Height(Approx): **5' 6"** Weight(Approx): **170-180 lbs**
Other:

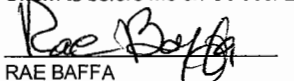
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 3:15 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MIGUEL RODRIGUEZ, INDIVIDUALLY AND DOING BUSINESS AS RODRIGUEZ DELI GROCERY, therein named. Said service was effected at , 1131 HAVEMEYER AVE, BRONX, NY 10462, in the following manner;

By delivering thereat a true copy of each to MIGUEL RODRIGUEZ, INDIVIDUALLY AND DOING BUSINESS AS RODRIGUEZ DELI GROCERY personally; deponent knew said person so served to be the person described as said recipient therein.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **45** Height(Approx): **5' 9"** Weight(Approx): **160-170 lbs**
Other:

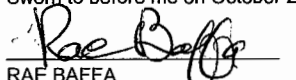
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

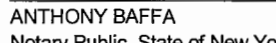


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

A & V MINIMARKET, INC., ET AL

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.


That on October 1, 2007 at 8:20 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon 315 GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS 315 GROCERY & CANDY, therein named. Said service was effected at 315 E. 194TH ST, BRONX, NY 10458, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of each to MIKE AL-MONTES personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.


Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **21** Height(Approx): **5' 8"** Weight(Approx): **170-180 lbs**
Other: **MUSTACHE & BEARD**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 9:11 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon ALI SAEED, INDIVIDUALLY AND DOING BUSINESS AS YEMEN KING DELI, therein named. Said service was effected at , 323 E. 108TH ST, NEW YORK, NY 10029, in the following manner;

By delivering thereat a true copy of each to MUHAMMED ALI, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named ALI SAEED, INDIVIDUALLY AND DOING BUSINESS AS YEMEN KING DELI at , 323 E. 108TH ST, NEW YORK, NY 10029. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Brown** Age(Approx): **45** Height(Approx): **5' 11"** Weight(Approx): **190-200 lbs**
Other: **MUSTACHE & BEARD**

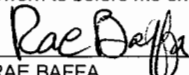
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

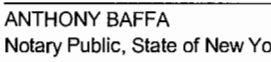


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 3, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 3, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 3:09 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon JUANA SUAZO, INDIVIDUALLY AND DOING BUSINESS AS MATEO GROCERY, therein named. Said service was effected at 1160 FTELEY AVENUE, BRONX, NY 10472, in the following manner;

By delivering thereat a true copy of each to JOSE MATEO, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named JUANA SUAZO, INDIVIDUALLY AND DOING BUSINESS AS MATEO GROCERY at 1160 FTELEY AVENUE, BRONX, NY 10472. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **45** Height(Approx): **6'** Weight(Approx): **225-250 lbs**
Other: **MUSTACHE & BEARD**

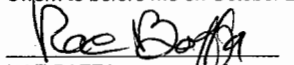
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007



RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

/EVEREADY

PROCESS SERVICE INC.

P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 3:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon S & P NEWS, therein named. Said service was effected at 74 ST. AND BROADWAY N.W. CORNER, NEW YORK, NY 10023, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to ABDUL MAALEEK personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

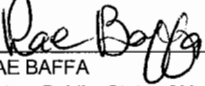
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 2"** Weight(Approx): **120-130 lbs**
Other: **MUSTACHE, BEARD & GLASSES**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 3, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 3, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 2:25 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon ADEL ELSAIDI, INDIVIDUALLY AND DOING BUSINESS AS NY BEST DELI GROCERY, therein named. Said service was effected at , 721 BURKE AVENUE, BRONX, NY 10455, in the following manner;

By delivering thereat a true copy of each to ADEL ELSAIDI, INDIVIDUALLY AND DOING BUSINESS AS NY BEST DELI GROCERY personally; deponent knew said person so served to be the person described as said recipient therein.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **30** Height(Approx): **5' 9"** Weight(Approx): **180-190 lbs**
Other: **MUSTACHE & BEARD**


Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 6:10 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MANNY'S MINI MARKET, INC. A NEW YORK CORPORATION DOING BUSINESS AS MANNYS MINI MARKET, therein named. Said service was effected at 1405 TOWNSHEND AVENUE, BRONX, NY 10452, in the following manne

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MIGDALIA TAVARES personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

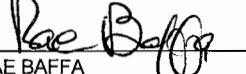
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Female** Skin: **Brown** Hair: **Red** Age(Approx): **35** Height(Approx): **5' 6"** Weight(Approx): **150-160 lbs**
Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 10:25 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon 174TH STREET MELISSA FOOD CENTER CORP., A NEW YORK CORPORATION DOING BUSINESS AS MELISSA GROCERY, ALSO KNOWN AS MELISSA DELI GROCERY, MELISSA FOOD CENTER AND MELISSA FOOD CORP., therein named. Said service was effected at 1004 E. 174TH ST, BRONX, NY 10460, in the following manner;


A Domestic/Foreign corporation, by delivering thereat a true copy of each to CARLOS HERNANDEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

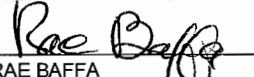
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 10"** Weight(Approx): **225-250 lbs**

Other: **MUSTACHE & BEARD**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


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Notary Public, State of New York
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 9:00 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MORRIS AVE. FOOD MART CORP., A NEW YORK CORPORATION DOING BUSINESS AS MORRIS AVE FOOD MART, therein named. Said service was effected at 980 MORRIS AVENUE, BRONX, NY 10456, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to KAREN KURET personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

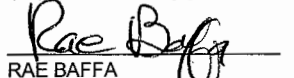
Sex: **Female** Skin: **Lt. Brown** Hair: **Brown** Age(Approx): **35** Height(Approx): **5'** Weight(Approx): **100-110 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007



RAE BAFFA
Notary Public, State of New York
No. 4920453
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Commission Expires July 5, 2010

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ANTHONY BAFFA
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EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07-CIV 8359
DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 9:30 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MATTHEW FOOD CENTER CORP., A NEW YORK CORPORATION DOING BUSINESS AS MATTHEW DELI FOOD CENTER AND MATTHEW FOOD CENTER, therein named. Said service was effected at 2085 VALENTINE AVENUE, BRONX, NY 10457, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to SANDRA SUKARDI personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

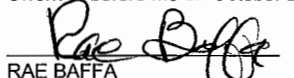
Sex: **Female** Skin: **Brown** Hair: **Brown** Age(Approx): **40** Height(Approx): **4' 11"** Weight(Approx): **100-110 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007



RAE BAFFA
Notary Public, State of New York
No. 4920453
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EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 9:35 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon TW DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS JEROME DELI GROCERY, therein named. Said service was effected at , 1759 JEROME AVENUE, BRONX, NY 10453, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of each to NAGE SHUAWAT personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **40** Height(Approx): **5' 5"** Weight(Approx): **130-140 lbs**

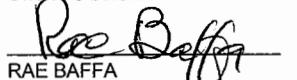
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 5:27 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon RHS GROCERY, INC., A NEW YORK CORPORATION DOING BUSINESS AS RHS DELI GROCERY, therein named. Said service was effected at 1223 BOSTON RD, BRONX, NY 10460, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to JOSE CRUZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **40** Height(Approx): **5' 10"** Weight(Approx): **190-200 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

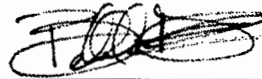
That on October 1, 2007 at 7:40 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon K & G DELI GROCERY, INC. A NEW YORK CORPORATION DOING BUSINESS AS K & G DELI, therein named. Said service was effected at 9 W. 183RD STREET, BRONX, NY 10453, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to AZIZ ALSAHVBI personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

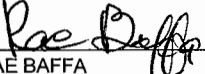
Sex: **Male** Skin: **Brown** Hair: **Black/Grey** Age(Approx): **42** Height(Approx): **5' 2"** Weight(Approx): **100-110 lbs**
Other: **MUSTACHE**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

A & V MINIMARKET, INC., ET AL

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 12:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon BRONX # 1 DISCOUNT GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS NY #1 DISCOUNT GROCERY, therein named. Said service was effected at 192 E. 167TH ST, BRONX, NY 10456, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MOHAMED OULD personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

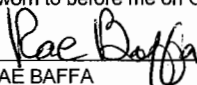
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 10"** Weight(Approx): **190-200 lbs**
Other: **MUSTACHE & BEARD**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

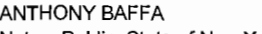


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 3, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 3, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 2:15 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon HARLEM CARNICERIA HISPANA & DELI, INC., A NEW YORK CORPORATION DOING BUSINESS AS HARLEM CARNICERIA HISPANA & DELI, therein named. Said service was effected at 1634 MADISON AVENUE, NEW YORK, NY 10029, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to AMMER ALAMARY personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

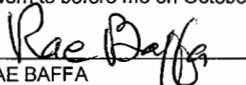
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Brown** Age(Approx): **30** Height(Approx): **5' 3"** Weight(Approx): **150-160 lbs**
Other: **MUSTACHE & BEARD**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 3, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 3, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 11, 2007 at 8:31 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon I & I CONVENIENCE STORE, INC. A NEW YORK CORPORATION DOING BUSINESS AS I & I CONVENIENCE STORE, therein named. Said service was effected at 804A EAST 180TH ST, BRONX, NY 10460, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to ALI MOHAMED personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

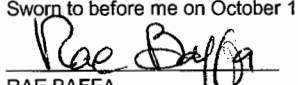
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **49** Height(Approx): **5' 5"** Weight(Approx): **150-160 lbs**
Other: **MUSTACHE**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 11, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 11, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 3:45 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon INKONA NEWS STAND, INC., A NEW YORK CORPORATION DOING BUSINESS AS INK ON A, INK ON A, INC. AND INKONA, INC., therein named. Said service was effected at 66 AVENUE A, NEW YORK, NY 10009, in the following manner;

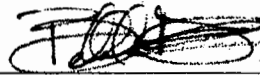
A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to MUHIT RAHMAN personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 3"** Weight(Approx): **140-150 lbs**

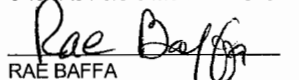
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 3, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
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PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 2:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon UPTOWN DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS TAIZ GROCERY, therein named. Said service was effected at C/O TAIZ GROCERY, 5 EAST GUNHILL RD, BRONX, NY 10467, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MUHAMED ISMEIL personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

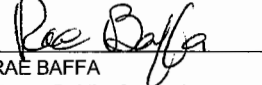
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **41** Height(Approx): **5' 6"** Weight(Approx): **180-190 lbs**
Other: **MUSTACHE & GLASSES**

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
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Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 9:36 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon SAMMY'S II DELI GROCERY, INC., A NEW YORK CORPORATION, therein named. Said service was effected at 4052 WHITE PLAINS RD, BRONX, NY 10466, in the following manner;

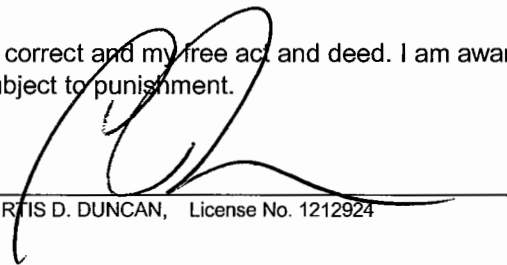
A Domestic/Foreign corporation, by delivering thereat a true copy of each to MAAMON DAHABALI personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

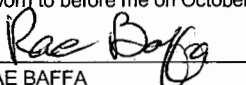
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **5' 8"** Weight(Approx): **160-170 lbs**

Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

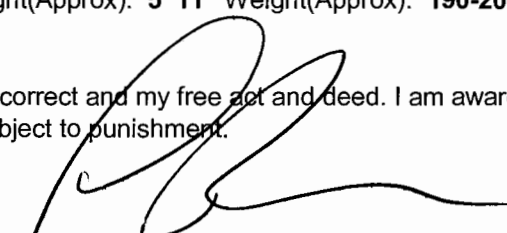
That on October 1, 2007 at 11:23 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon JJP FOOD CENTER, INC., A NEW YORK CORPORATION DOING BUSINESS AS 1086 JJP FOOD CENTER INC., therein named. Said service was effected at 1086 BOSTON RD, BRONX, NY 10456, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to NELSON CHALAS personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

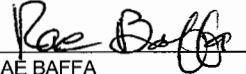
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **29** Height(Approx): **5' 11"** Weight(Approx): **190-200 lbs**
Other: **BEARD**

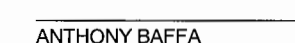
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
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EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

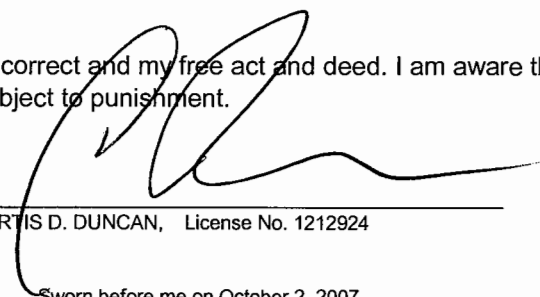
That on October 1, 2007 at 10:26 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon UNIVERSITY DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS UNIVERSITY DELI, therein named. Said service was effected at 1705 UNIVERSITY AVE, BRONX, NY 10453, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to MUHEV SHART personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

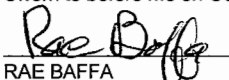
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **26** Height(Approx): **5' 6"** Weight(Approx): **160-170 lbs**
Other: **MUSTACHE**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
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Commission Expires July 5, 2010

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

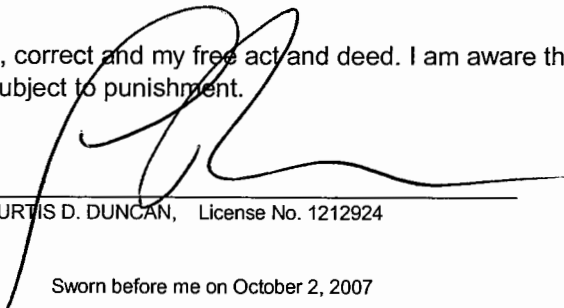
That on October 1, 2007 at 8:32 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon VEGA'S DELI GROCERY INC., A NEW YORK CORPORATION DOING BUSINESS AS NEW WATSON FOOD MARKET, therein named. Said service was effected at 1580 WATSON AVE, BRONX, NY 10472, in the following manner;

A Domestic/*Foreign* corporation, by delivering thereat a true copy of each to JUINIE TIREZO personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

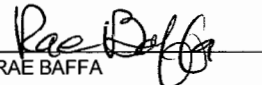
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **25** Height(Approx): **5' 7"** Weight(Approx): **150-160 lbs**
Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 10:49 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon KIANELY FOOD CORP., A NEW YORK CORPORATION, therein named. Said service was effected at 1386 NELSON AVE, BRONX, NY 10452, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to EDWIN SANTIAGO personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **45** Height(Approx): **5' 6"** Weight(Approx): **160-170 lbs**
Other:

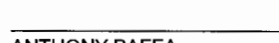
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

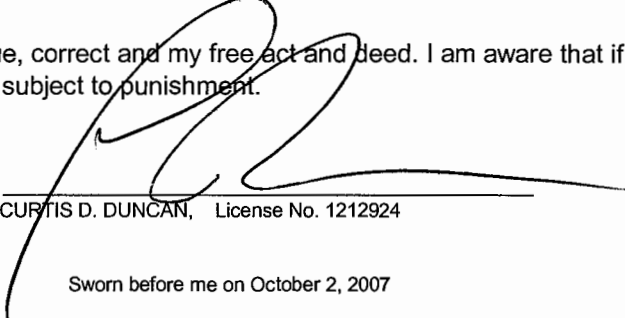
That on October 1, 2007 at 8:18 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon STEVEN DELI SUPERMARKET CORP., A NEW YORK CORPORATION DOING BUSINESS AS STEVEN DELI MARKET, therein named. Said service was effected at 1135 OLMSTEAD AVE, BRONX, NY 10472, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MARCIAL BAEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

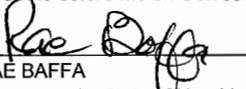
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **White** Hair: **Grey/Black** Age(Approx): **47** Height(Approx): **5' 10"** Weight(Approx): **190-200 lbs**
Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
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EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

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State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

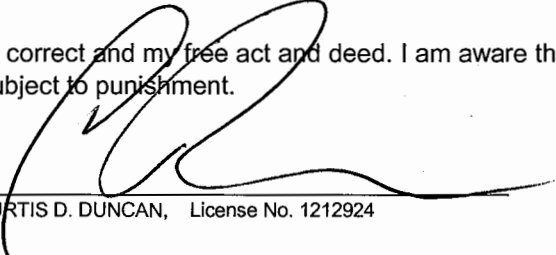
That on October 1, 2007 at 8:58 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon SAN JUAN FOOD MARKET, INC. A NEW YORK CORPORATION DOING BUSINESS AS SAN JUAN FOOD MARKET, therein named. Said service was effected at 919 EAST TREMONT AVE, BRONX, NY 10460, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to ERNESTO LINERAS personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

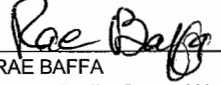
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **34** Height(Approx): **5' 9"** Weight(Approx): **180-190 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 10:45 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon RAMON SALCEDO, INDIVIDUALLY AND DOING BUSINESS AS SALCEDO GROCERY, therein named. Said service was effected at 1150 ANDERSON AVE, BRONX, NY 10452, in the following manner;

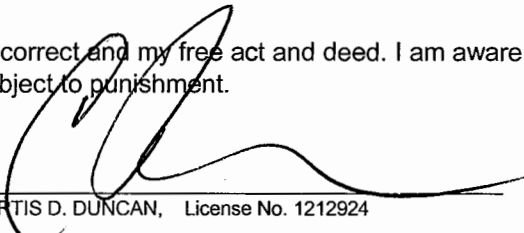
A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to RAMON SADILIO personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black/Grey** Age(Approx): **47** Height(Approx): **5' 4"** Weight(Approx): **170-180 lbs**

Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
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No. 4974975
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Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.


That on September 28, 2007 at 2:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LEENA DELI & GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS LEENA DELI & GROCERY, therein named. Said service was effected at 1616 BRUCKNER BLVD, BRONX, NY 10473, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to HANI YASAL personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

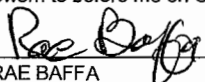
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black/Grey** Age(Approx): **35** Height(Approx): **4' 9"** Weight(Approx): **120-130 lbs**
Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


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against

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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.


That on September 27, 2007 at 8:15 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon GOLDMINE GROCERY, INC. A NEW YORK CORPORATION DOING BUSINESS AS GOLDMINE GROCERY, therein named. Said service was effected at 1288 WASHINGTON AVENUE, BRONX, NY 10456, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to DAVID ABDUL personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

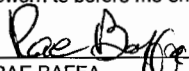
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Brown** Age(Approx): **38** Height(Approx): **5' 8"** Weight(Approx): **190-200 lbs**
Other: **MUSTACHE & BEARD**

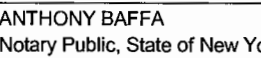
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 11:39 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LATIN GROCERY, LLC, A NEW YORK CORPORATION DOING BUSINESS AS 961 GROCERY, therein named. Said service was effected at 961 E. 165TH ST, BRONX, NY 10456, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to MARY LOPEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Female** Skin: **Brown** Hair: **Black** Age(Approx): **39** Height(Approx): **5' 3"** Weight(Approx): **120-130 lbs**


Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn before me on October 2, 2007

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 27, 2007 at 8:50 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon HAJJI DELI GROCERY, INC. A NEW YORK CORPORATION DOING BUSINESS AS PARADISE DELI, therein named. Said service was effected at 2135 1ST AVE, NEW YORK, NY 10029, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to YASSAR KASSIM personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **35** Height(Approx): **4' 11"** Weight(Approx): **110-120 lbs**

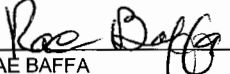
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 28, 2007 at 1:05 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MENZAL S. AZOOKARI, INDIVIDUALLY AND DOING BUSINESS AS SOUTHERN BLVD. DELI, therein named. Said service was effected at 907 SOUTHERN BLVD, BRONX, NY 10549, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to ALI AHMED personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

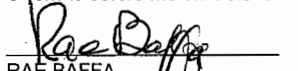
Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **24** Height(Approx): **5' 8"** Weight(Approx): **140-150 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 28, 2007 at 7:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon UNIVERSITY FOOD MARKET CORP., A NEW YORK CORPORATION, therein named. Said service was effected at 1538 UNIVERSITY AVENUE, BRONX, NY 10452, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to SALH ANDILAN personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black/Grey** Age(Approx): **40** Height(Approx): **5' 1"** Weight(Approx): **140-150 lbs**


Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

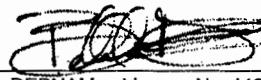
That on October 1, 2007 at 4:00 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon J & B DELI GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS J & B DELI GROCERY CORP. AND J & B GROCERY, therein named. Said service was effected at 2344 LORILLARD PLACE, BRONX, NY 10458, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to JOSE URIBE personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

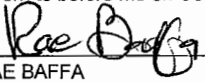
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Grey/Black** Age(Approx): **45** Height(Approx): **5' 8"** Weight(Approx): **225-250 lbs**
Other: **MUSTACHE**


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 10, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 10, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 1, 2007 at 11:17 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon MAJMUD SALEJ, INDIVIDUALLY AND DOING BUSINESS AS SALEJ GROCERY N/K/A JAICO GROCERY, therein named. Said service was effected at , 646 E. 241ST ST, BRONX, NY 10470, in the following manner;

By delivering thereat a true copy of each to JOHNNY DIAZ, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

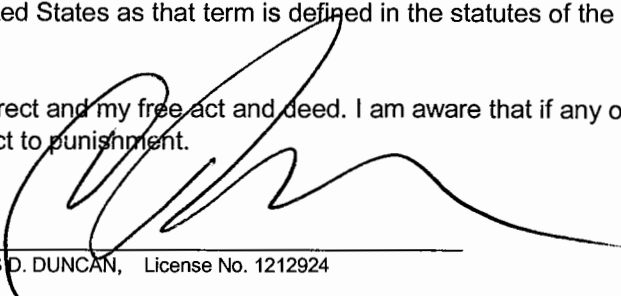
Furthermore, I mailed (first class postage prepaid) additional true and attested copies to the within named MAJMUD SALEJ, INDIVIDUALLY AND DOING BUSINESS AS SALEJ GROCERY N/K/A JAICO GROCERY at , 646 E. 241ST ST, BRONX, NY 10470. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

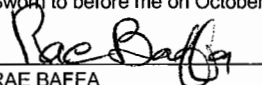
Sex: **Male** Skin: **White** Hair: **Brown** Age(Approx): **38** Height(Approx): **5' 10"** Weight(Approx): **200-225 lbs**
Other:

Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

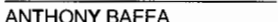
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 10, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 10, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 27, 2007 at 9:05 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon ALI OMRAN, INDIVIDUALLY AND DOING BUSINESS AS OMRAN GROCERY AND OMRAN GROCERY & CANDY STORE, therein named. Said service was effected at , 2285 1ST AVENUE, NEW YORK, NY 10035, in the following manner;

By delivering thereat a true copy of each to DAWFIK MUHAMMED, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, I mailed (first class postage prepaid) additional true and attested copies to the within named ALI OMRAN, INDIVIDUALLY AND DOING BUSINESS AS OMRAN GROCERY AND OMRAN GROCERY & CANDY STORE at , 2285 1ST AVENUE, NEW YORK, NY 10035. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **40** Height(Approx): **5'** Weight(Approx): **160-170 lbs**
Other:

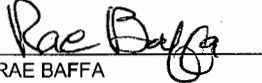
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 10, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 10, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on September 28, 2007 at 1:34 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon GOURMET DELI GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS GOURMET DELI, therein named. Said service was effected at 770 HUNTS POINT AV ENUE, BRONX, NY 10474, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to NAGIB ALSIDI personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

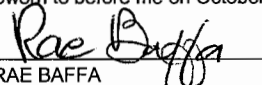
Sex: **Male** Skin: **Brown** Hair: **Brown** Age(Approx): **23** Height(Approx): **5' 6"** Weight(Approx): **170-180 lbs**

Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM License No. 1128147

Sworn to before me on October 10, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 10, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
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DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 5:05 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon ABDO K.S. NAGI, INDIVIDUALLY AND DOING BUSINESS AS A.M. GROCERY-DELI AND A&M; GROCERY, therein named. Said service was effected at 681 E. 187TH STREET, BRONX, NY 10458, in the following manner;

By delivering thereat a true copy of each to ESAN NAGI, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named ABDO K.S. NAGI, INDIVIDUALLY AND DOING BUSINESS AS A.M. GROCERY-DELI AND A&M; GROCERY at 681 E. 187TH STREET, BRONX, NY 10458. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **22** Height(Approx): **5' 5"** Weight(Approx): **170-180 lbs**
Other: **MUSTACHE & BEARD**

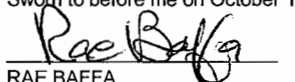
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

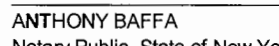


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 10, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 10, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

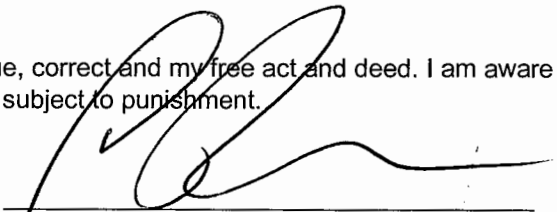
That on October 1, 2007 at 11:57 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon 456 EAST W.A. DELI & GROCERY, INC. A NEW YORK CORPORATION DOING BUSINESS AS WA GROCERY, therein named. Said service was effected at 456 E. 149TH ST, BRONX, NY 10455, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to VICTOR MARTINEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

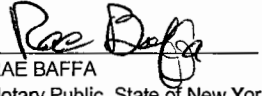
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **White** Hair: **Bald** Age(Approx): **43** Height(Approx): **5' 6"** Weight(Approx): **160-170 lbs**
Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
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AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 11, 2007 at 9:20 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon 456 EAST W.A. DELI & GROCERY, INC. A NEW YORK CORPORATION DOING BUSINESS AS WA GROCERY, therein named. Said service was effected at 2039 GRAND CONCOURSE, BRONX, NY 10453, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to WADDAH ALWAWRI personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

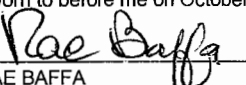
Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Black** Age(Approx): **45** Height(Approx): **5' 4"** Weight(Approx): **150-160 lbs**
Other: **MUSTACHE**

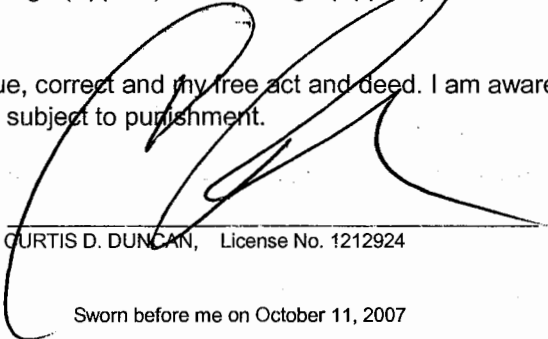
I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 11, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 11, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 10:50 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LA FAVORITA DELI GROCERY CORP., A NEW YORK CORPORATION DOING BUSINESS AS LA FAVORITA DELI GROCERY, therein named. Said service was effected at 3515 ROCHAMBEAU AVENUE, BRONX, NY 10459, in the following manner;

A Domestic/Foreign corporation, by delivering thereat a true copy of each to VICENTE URENA personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

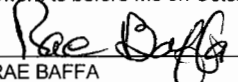
Sex: **Male** Skin: **Brown** Hair: **Grey** Age(Approx): **45** Height(Approx): **5' 4"** Weight(Approx): **130-140 lbs**
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, CURTIS D. DUNCAN being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BAY SHORE, NY.

That on October 11, 2007 at 8:56 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon LaFAVORITA DELI GROCERY CORP. A NEW YORK CORPORATION DOING BUSINESS AS LaFAVORITA DELI GROCERY, therein named. Said service was effected at C/O ABS & CO. , 1866 WOOD AVENUE, BRONX, NY 10460, in the following manner;

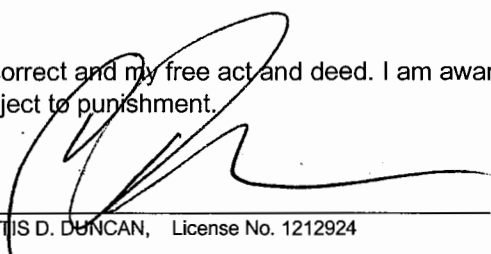
A Domestic/*Foreign* corporation, by delivering thereat a true copy of *each* to JOSE MARTINEZ personally; deponent knew said corporation so served to be the corporation described as the named recipient and knew said individual to be the MANAGER thereof, an authorized person to accept service of process.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

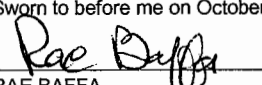
Sex: **Male** Skin: **White** Hair: **Grey** Age(Approx): **65** Height(Approx): **5' 2"** Weight(Approx): **140-150 lbs**

Other:


I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


CURTIS D. DUNCAN, License No. 1212924

Sworn to before me on October 11, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 11, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY
PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 7:50 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon SECINDINO OLIVO, INDIVIDUALLY AND DOING BUSINESS AS OLIVO GROCERY, therein named. Said service was effected at , 280 ST. ANNS AVE, BRONX, NY 10454, in the following manner;

By delivering thereat a true copy of each to SECINDO OLIVO, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named SECINDINO OLIVO, INDIVIDUALLY AND DOING BUSINESS AS OLIVO GROCERY at , 280 ST. ANNS AVE, BRONX, NY 10454. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

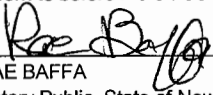
Sex: **Male** Skin: **Brown** Hair: **Brown** Age(Approx): **45** Height(Approx): **5' 1"** Weight(Approx): **170-180 lbs**
Other: **MUSTACHE**

Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

/EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
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A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 1, 2007 at 7:50 PM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon ANTERO OLIVO, INDIVIDUALLY AND DOING BUSINESS AS OLIVO GROCERY, therein named. Said service was effected at , 280 ST. ANNS AVE, BRONX, NY 10454, in the following manner;

By delivering thereat a true copy of each to SECINDO OLIVO, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named ANTERO OLIVO, INDIVIDUALLY AND DOING BUSINESS AS OLIVO GROCERY at , 280 ST. ANNS AVE, BRONX, NY 10454. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Male** Skin: **Brown** Hair: **Brown** Age(Approx): **45** Height(Approx): **5' 1"** Weight(Approx): **170-180 lbs**
Other: **MUSTACHE**

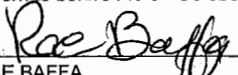
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

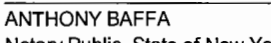


BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

EVEREADY

PROCESS SERVICE INC.
P.O. DRAWER 1537, STONYBROOK, NEW YORK 11790

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 8:25 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon FELICIANO LOPEZ, INDIVIDUALLY AND DOING BUSINESS AS LOPEZ FRUIT & VEGETABLE MARKET, therein named. Said service was effected at 600 SOUTHERN BLVD, BRONX, NY 10455, in the following manner;

By delivering thereat a true copy of each to JOY ODETTE, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, I mailed (first class postage prepaid) additional true and attested copies to the within named FELICIANO LOPEZ, INDIVIDUALLY AND DOING BUSINESS AS LOPEZ FRUIT & VEGETABLE MARKET at 600 SOUTHERN BLVD, BRONX, NY 10455. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Female** Skin: **White** Hair: **Grey** Age(Approx): **32** Height(Approx): **5' 10"** Weight(Approx): **180-190 lbs**
Other:


Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.




BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 10, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 10, 2007


ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA, INC.

against

ATTORNEY/CLIENT: CULLEN & DYKMAN, ESQS
FILE #
INDEX # 07- CIV 8359
DATE INDEX # PURCHASED:
DATE AFFIDAVIT FILED:

A & V MINIMARKET, INC., ET AL

AFFIDAVIT OF SERVICE

State of New York, County of Suffolk

I, BETHEL DEBNAM being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in BRENTWOOD, NY.

That on October 2, 2007 at 8:25 AM, deponent served the within named CIVIL COVER SHEET, SUMMONS & COMPLAINT, 7-1 STATEMENT & REPORT ON THE FILINGS OR DETERMINATION OF AN ACTION REGARDING PATENT OR TRADEMARK upon FRANCISCA SANTIAGO, INDIVIDUALLY AND DOING BUSINESS AS LOPEZ FRUIT & VEGETABLE MARKET, therein named. Said service was effected at , 600 SOUTHERN BLVD, BRONX, NY 10455, in the following manner;

By delivering thereat a true copy of each to JOY ODETTE, MANAGER, a person of suitable age and discretion. That person was also asked by deponent whether said premises was the recipient's actual place of business - dwelling house - usual place of abode and their reply was affirmative.

Furthermore, later this same day I mailed (first class postage prepaid) additional true and attested copies to the within named FRANCISCA SANTIAGO, INDIVIDUALLY AND DOING BUSINESS AS LOPEZ FRUIT & VEGETABLE MARKET at , 600 SOUTHERN BLVD, BRONX, NY 10455. Said mailing was placed in an official depository under the exclusive care and custody of the United States Postal Service. The envelope bore the legend "**Personal and Confidential**" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an Attorney or concerned an action against the Defendant.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex: **Female** Skin: **White** Hair: **Grey** Age(Approx): **32** Height(Approx): **5' 10"** Weight(Approx): **180-190 lbs.**
Other:

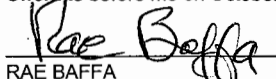
Above person had asked, whether recipient was in the military service of the State or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State or the United States as that term is defined in the statutes of the State or the Federal Soldiers and Sailors Civil Relief Act.

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



BETHEL DEBNAM, License No. 1128147

Sworn to before me on October 2, 2007


RAE BAFFA
Notary Public, State of New York
No. 4920453
Qualified in Suffolk County
Commission Expires July 5, 2010

Sworn before me on October 2, 2007

ANTHONY BAFFA
Notary Public, State of New York
No. 4974975
Qualified in Suffolk County
Commission Expires November 26, 2010